

UNITED ASSOCIATION OF THE  
PLUMBING AND PIPE FITTING  
INDUSTRY OF U.S AND CANADA,  
LOCAL NO. 360, et al,

Plaintiffs,

V.

EHRET, INC.

Defendant.

Case No. 17-cv-511-RJD

## MEMORANDUM AND ORDER

**DALY, Magistrate Judge:**

On June 28, 2018, the Court granted summary judgment in favor of Plaintiffs and against Defendants in the amount of \$24,750.35 (Doc. 47). The Court also directed Plaintiffs to file supporting documentation concerning attorneys' fees and costs. Now before the Court is Plaintiff's Notice Regarding Attorneys' Fees and Costs (Doc. 49). Defendants filed a Memorandum in Opposition to Plaintiff's Request for an Award of Attorney's Fees and Costs (Doc. 50).

29 U.S.C. §1132(g)(2) (ERISA) provides, “In any action under this title...in which a judgment in favor of the plan is awarded, the court shall award...reasonable attorney's fees and costs of the action, to be paid by the defendant...” Relatedly, the Seventh Circuit has held that, “ERISA provides for a mandatory award of reasonable attorney's fees when a plan fiduciary prevails in an action to collect delinquent contributions.” *Laborers’ Pension Fund v. Blackmore Sewer Const., Inc.*, 298 F.3d 600, 608 (7th Cir. 2002).

Here, Plaintiffs are prevailing parties as the Court granted summary judgment in their favor. Based on the Affidavit of Greg Campbell attached to Plaintiffs' Notice (Doc. 49-1), Plaintiffs have incurred attorneys' fees (\$4,330.00) and court costs (\$499.18) totaling \$4,829.18.

Defendants object to Plaintiffs' filing because the request for attorney's fees failed to include an itemized billing statement showing detailed entries. Defendants also cite Local Rule 54.1 and argue Plaintiffs failed to comply with the cited rule.<sup>1</sup>

The party seeking attorney's fees has the burden of documenting its fees to the satisfaction of the Court. *Hensley v. Eckerhardt*, 461 U.S. 424, 433, (1983); *Tomazzoli v. Sheedy*, 804 F.2d 93, 96 (7th Cir.1986). Plaintiffs' submitted affidavit provides this documentation and, while sparse, is generally sufficient to demonstrate the fees requested. The Court finds that these fees and costs were reasonably incurred in this case and that Plaintiffs' Counsel's rates and charges are reasonable. Accordingly, the Court **GRANTS** Plaintiff's attorney's fees and costs in the amount of \$4,829.18. The Clerk of Court is **DIRECTED** to enter judgment in favor of Plaintiffs accordingly and to close the case.

**IT IS SO ORDERED.**

**DATED: September 13, 2018**

s/ *Reona J. Daly*  
**Hon. Reona J. Daly**  
**United States Magistrate Judge**

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<sup>1</sup> Local Rule 54.1 quoted by Defendants is not the Southern District of Illinois Local Rule 54.1. Since it is unclear to the Court which local rule Defendants are referencing, the Court will not address this portion of Defendants' argument.